

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TRISTRATA TECHNOLOGY, INC.)	
)	
Plaintiff,)	
)	
v.)	C.A. No.: 04-1263-JJF
)	
BEAUTY UNDERNEATH, ELLEN LANGE SKIN)	
SCIENCE, INC., JAN MARINI SKIN RESEARCH)	
INC., INTERNATIONAL SHIELD, INC,)	
COSMESEARCH, INC., SKINCEUTICALS, INC.,)	
DERMATOLOGIC COSMETIC LABORATORIES)	
LTD., AND PERRI SKIN CARE)	
)	
Defendants.)	

PLAINTIFF'S WITHDRAWAL OF ITS MOTION TO COMPEL (D.I. 67)

Plaintiff Tristrata Technology, Incorporated, by and through its counsel, respectfully withdraws its motion to compel discovery responses and production of documents from defendant Ellen Lange Skin Science, Inc. (D.I. 67).

Dated: September 30, 2005

Respectfully submitted,

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on September 30, 2005, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF which will send notification of such filing to the following counsel of record:

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I HEREBY CERTIFY that on September 30, 2005, I served a true and correct copy of the foregoing document to the following counsel of record in the manner indicated:

BY HAND:

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/s/Arthur G. Connolly, III
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